

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 21, 2006

TO: Persons on the attached mailing list.

RE: Grason Volenete Investments, Ltd.
Permit No. WQ0014563001

Decision of the Executive Director.

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** Unless a timely request for contested case hearing or reconsideration is received (see below), the TCEQ executive director will act on the application and issue the permit.

Enclosed with this letter is a copy of the Executive Director's Response to Comments. A copy of the complete application, draft permit and related documents, including public comments, is available for review at the TCEQ Central office. A copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Austin Public Library, 800 Guadalupe, 2nd Floor, Austin, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. A brief description of the procedures for these two requests follows.

How To Request a Contested Case Hearing.

It is important that your request include all the information that supports your right to a contested case hearing. You must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) If the request is made by a group or association, the request must identify:
 - (A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group; and
 - (B) one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization's purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.
- (3) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.
- (4) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: "I request a contested case hearing."

Your request must demonstrate that you are an **"affected person."** An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities.

Your request must raise disputed issues of fact that are relevant and material to the commission's decision on this application. The request must be based on issues that were raised during the comment period. The request cannot be based solely on issues raised in comments that have been withdrawn. The enclosed Response to Comments will allow you to determine the issues that were raised during the comment period and whether all comments raising an issue have been withdrawn. The public comments filed for this application are available for review and copying at the Chief Clerk's office at the address below.

To facilitate the commission's determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director's responses to comments that you dispute; and 2) the factual basis of the dispute. In addition, you should list, to the extent possible, any disputed issues of law or policy.

How To Request Reconsideration of the Executive Director's Decision.

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

Deadline for Submitting Requests.

A request for a contested case hearing or reconsideration of the executive director's decision must be in writing and must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date of this letter: You should submit your request to the following address:

LaDonna Castañuela, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

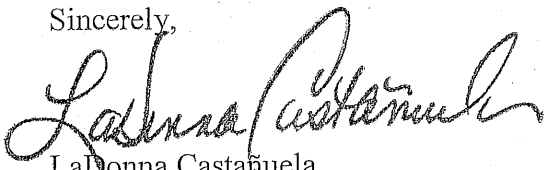
Processing of Requests.

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the alternative dispute resolution director and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

How to Obtain Additional Information.

If you have any questions or need additional information about the procedures described in this letter, please call the Office of Public Assistance, Toll Free, at 1-800-687-4040.

Sincerely,



LaDonna Castañuela
Chief Clerk

LDC/cz

Enclosures.

MAILING LIST
for
Grason Volenete Investments, Ltd.
Permit No. WQ0014563001

FOR THE APPLICANT:

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Grason Volente Investments, Ltd.
7171 Highway 6 North, Suite 100
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Fred Ramirez, P.E.
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PROTESTANTS/INTERESTED PERSONS:

See attached list.

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JENNIFER ZUFELT CITY CLK
VILLAGE OF VOLENTE
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PROPOSED TCEQ PERMIT NO. WQ0014563001

APPLICATION BY GRASON § BEFORE THE
VOLENTE INVESTMENTS, LTD. § TEXAS COMMISSION ON
for TCEQ Permit No. 14563-001 § ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director (ED) of the Texas Commission on Environmental Quality (the commission or TCEQ) files this Response to Public Comment (Response) on the Grason Volente Investments, Ltd.'s (Applicant) application and ED's preliminary decision. As required by 30 Texas Administrative Code (TAC) Section 55.156, before a permit is issued, the ED prepares a response to all timely, relevant and material, or significant comments. The Office of Chief Clerk timely received comment letters or comments at the public meeting from the following persons: Scott Attwood, Jim and Victoria Brown, Carl Campbell, Linda Carter, Connie Curtiss, Scott Crossett, Commissioner Gerald Daugherty Travis County Commissioner Precinct 3, Gary M. Frame, Mario and Sylvia Guzman, Justine Hlista, Norma L. Hutchinson, Jo R. Kimbro and Charles L. Dwyer, Sam W. Love, Richard Roucloux, John Schlotzhauer, Judy Schlotzhauer, Clifton Seifert, Frances Seifert, Leonard A. Seifert, Anne Steichen, Dan Thost, Allison Thrash, John C. Thrash, Jr., Patricia Frances Thrash, Jan Yenawine, Jennifer Zufelt on behalf of the Village of Volente Village Council and Mayor. In addition, the TCEQ received a request for a public meeting from State Representative Todd Baxter. This response addresses all such timely public comments received, whether or not withdrawn. If you need more information about this permit application or the wastewater permitting process, please call the TCEQ Office of Public Assistance at 1-800-687-4040. General information about the TCEQ can be found at our website at www.tceq.state.tx.us.

BACKGROUND

Description of Facility

The Applicant has applied to the TCEQ for a new permit that would authorize the Applicant to dispose of treated domestic wastewater at a daily average flow not to exceed 175,000 gallons per day via non-public access subsurface drip irrigation with a minimum area of 1,742,400 square feet. This permit will not authorize a discharge of pollutants into water in the state. The wastewater treatment plant will serve two residential developments near Lake Travis.

The wastewater treatment facilities and disposal site will be located 6 miles west of the intersection of Ranch Road 620 and Farm-to-Market Road 2769 and 1.5 miles north of Farm-to-Market Road 2769 (Volente Road) in Travis County, Texas.

Procedural Background

The permit application for a new permit was received on September 27, 2004 and declared administratively complete on December 10, 2004. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on January 9, 2005 in the Austin American Statesman. The Notice of Application and Preliminary Decision (NAPD) for a Water Quality Permit was published on March 25, 2006 in the Austin American Statesman. The Notice of Public Meeting was published on March 25, 2006 in the Austin American Statesman. A public meeting was held on April 25, 2006 in Volente, Texas. The public comment period ended on April 25, 2006. This application was administratively complete on or after September 1, 1999; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

COMMENTS AND RESPONSES

COMMENT 1:

Jim and Victoria Brown, Connie Curtiss, Sam W. Love, Scott Crossett, Mario and Sylvia Guzman, Norma L. Hutchinson, John Schlotzhauer and Judy Schlotzhauer stated that the irrigation field overlays certain springs that feed one of the coves, e.g., Gun Hollow, of Lake Travis and that the irrigation field is approximately 800 feet from Lake Travis. In addition, John Schlotzhauer and Judy Schlotzhauer question what impact this facility will have on the lake's ecology. Linda Carter states that her home and business are on the Cove of Gun Hollow and that the lake should be as clean as possible because the water is used for her household. Dan Throst, Frances Seifert, Clifton Seifert, Leonard Seifert, and Norma Hutchinson stated concern over the irrigation fields close proximity to Lake Travis, that they want the water to remain clear and safe, and that it is used for recreational purposes as well as drinking. Mr. Carl Campbell stated during the public meeting held on April 25, 2006, that he is concerned with his drinking water.

RESPONSE 1:

The TCEQ Water Quality Assessment (WQA) Team geologist conducted a site visit of the proposed irrigation area on May 25, 2006 to look for onsite springs or seeps. No offsite areas were visited during this site visit as there was no access to the offsite lands. The Applicant's consultant, Mr. Fred Ramirez of Baker-Aicklen & Associates, presented a map locating previously identified water features in the drainage that feeds into the cove of Lake Travis, and took the WQA Team geologist to look at these features. These features appeared to be intermittent wet weather features in the creek. During the May 25, 2006 site visit, no water was discharging from the features. No active

springs were identified onsite during the site visit.

The draft permit contains special provisions designed to be protective of ground and surface water quality. Special Provision No. 4 states that the permittee's land application practices must be designed and managed to prevent contamination of ground and surface waters. Special Provision 16 mandates a buffer distance from surface water bodies and watercourses. Special Provision 20 requires that the permittee develop a Soil Water/Springs Monitoring Plan. As a result of the site visit conducted by the WQA Team geologist, Special Provision 16 will be revised to require a 100-foot buffer from surface water bodies and watercourses instead of the 33-foot buffer required in the draft permit. Additionally, Special Provision 20 will mandate that the previously identified wet weather features must be included in the quarterly checks required in the Soil Water/Springs Monitoring Plan.

This permit is for subsurface irrigation and is a no discharge permit. If any effluent is discharged it will be a violation of the permit, and the Applicant will be subject to enforcement.

COMMENT 2:

Charles L. Dyer and Jo R. Kimbro question how many and what type of structures will be serviced by the facility.

RESPONSE 2:

The Applicant's facility will service a residential community which will serve approximately 600 homes.

COMMENT 3:

Jim and Victoria Brown, Sam W. Love, Scott Crossett, Mario and Sylvia Guzman, and Connie Curtis commented that the TCEQ is charged with protecting the environmental quality not only of Lake Travis, but also its surrounding flora and fauna.

RESPONSE 3:

The TCEQ is charged with the protection of the water quality of Lake Travis under the Texas Water Code and Title 30 Texas Administrative Code Chapter 311, Subchapter A. In addition, in the wastewater permitting context the TCEQ is tasked with maintaining the quality of water in the state consistent with the public health and enjoyment, the propagation and protection of terrestrial and aquatic life, and the operation of existing industries, taking into consideration the economic development of the state.

This permit is for subsurface irrigation and is a no discharge permit. If any effluent is discharged it will be a violation of the permit, and the Applicant will be subject to enforcement.

COMMENT 4:

Jim and Victoria Brown, Sam W. Love, Scott Crossett, and Mario and Sylvia Guzman commented that it is their understanding that TCEQ is charged with protecting the property of affected landowners from the proposed wastewater treatment facility and disposal site.

RESPONSE 4:

In the wastewater permitting context, the TCEQ is tasked with maintaining the quality of water in the state consistent with the public health and enjoyment, the propagation and protection of terrestrial and aquatic life, and the operation of existing industries, taking into consideration the economic development of the state. The draft permit does not limit the ability of nearby landowners to use common law remedies for trespass, nuisance, or other causes of action in response to activities that may or actually do result in injury or adverse effects on human health or welfare, animal life, vegetation, or property, or that may or actually do interfere with the normal use and enjoyment of animal life, vegetation, or property.

COMMENT 5:

John Schlotzhauer and Judy Schlotzhauer stated that landowners directly adjacent to the site were notified and others were not. They state that everyone who is in the area will be affected.

RESPONSE 5:

Title 30 Texas Administrative Code Section 55.203(a) states an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. In a no discharge subsurface drip application, the ED has determined that adjacent landowners meet this definition and have required that information to be included in the Application.

COMMENT 6:

John Schlotzhauer and Judy Schlotzhauer point to the effect on the business of Dodd Street Docks Marina at the entrance of Gun Hollow.

RESPONSE 6:

The draft permit does not authorize the discharge of pollutant into the water in the state. The effluent quality expected from the proposed wastewater treatment facility exceeds the effluent quality required under the rules, 30 Texas Administrative Code Section 309.4. The effluent is further disinfected before beneficially used for irrigation via subsurface application. The effluent will be utilized only to supply the crops' water needs in the irrigation area and, under the conditions of the

draft permit, none is expected to leave the irrigation area either through surface or subsurface flow. If the permit is followed correctly effluent from the proposed wastewater treatment facility will not affect the business of Dodd Street Docks Marina.

COMMENT 7:

John Schlotzhauer and Judy Schlotzhauer would like to know the effect of the proposed facility on the Balcones Canyonlands.

RESPONSE 7:

The Balcones Canyonlands will not be affected because it is located in another watershed.

COMMENT 8:

John Schlotzhauer and Judy Schlotzhauer state that the odor from this type of wastewater treatment facility can be offensive. During the public meeting of April 25, 2006, Mr. Richard Roucloux expressed his concern over odor.

RESPONSE 8:

Minimizing the generation of odors from a treatment plant depends on the design of the plant and the operation and maintenance of the plant and appropriate siting. Maintaining an adequate dissolved oxygen concentration in the early stages of treatment helps to minimize sulfide generation. Oxygen turns the sulfide compounds into odorless sulfates. The Applicant proposes to treat the wastewater using an activated sludge process operated in the extended aeration mode. This process utilizes oxygen to breakdown the organic pollutants in the wastewater.

The Applicant indicates that the proposed wastewater treatment facility will be provided with the required 150-foot buffer zone to abate and control a nuisance of odor.

Minimizing generation of odors from a treatment plant depends on proper design, operation, and maintenance of the plant. The public may report possible violations of the draft permit or regulations, including odors, of a facility in Travis County by contacting the TCEQ Region 11 office in Austin at 512-339-2929, or the statewide toll-free number at 1-888-777-3186. Calls to the statewide toll-free number from Travis County are automatically routed to the Austin regional office. In addition, complaints may be filed online: <http://www.tceq.state.tx.us/compliance/complaints/index.html>. If the facility is found to be out of compliance with the terms or conditions of the permit, the Applicant may be subject to enforcement.

COMMENT 9:

Allison Thrash, John C. Thrash, Jr., and Patricia Thrash point out in letters from January 11, 2005

that the application is not available for viewing and copying at the Travis County Courthouse at 1000 Guadalupe Street, Austin or at the Travis County Clerk Recording Division on 5501 Airport Boulevard. They therefore ask that the permit not be considered administratively complete.

RESPONSE 9:

The Applicant explains that the application was located on the first floor of the Travis County Courthouse on 1000 Guadalupe Street in the public notice section bulletin board. The Applicant clarifies that the application was made available on January 7, two days before the NORI was published in the local newspaper and that the application's availability was verified on January 13, 2005 and January 31, 2005.

COMMENT 10:

During the public meeting held on April 25, 2006, Mr. Scott Atwood inquired what the penalty is for discharge of raw sewage or possible accident.

RESPONSE 10:

When there is a discharge of raw sewage, an investigation is conducted. If a violation is noted during the inspection, the violation is handled according to the TCEQ enforcement initiation criteria. If the violation results in the issuance of an administrative enforcement order, which contains technical requirements to resolve the violation and a monetary penalty, the penalty will be based on the impact of the discharge to the environment and the duration of the discharge.

COMMENT 11:

During the public meeting held on April 25, 2006, Mr. Scott Atwood stated that he would like to see the irrigation field move to the back side of the hill. Mr. Carl Campbell stated during the public meeting held on April 25, 2006, that he owned a water front property and the lake side community will be the last step before the effluent gets into the lake, and he would like to see the proposed drainfield moved. Also, Mr. Richard Roucloux and Ms. Norma Hutchinson expressed concern over the location of the drainfield during the public meeting. Charles L. Dyer and Jo R. Kimbro question the location of the wastewater facility and the associated drainage and irrigation areas.

RESPONSE 11:

The draft permit does not authorize the discharge of pollutant into the water in the state. The effluent will be utilized only to supply the crops' water needs in the irrigation area and, under the conditions of the draft permit, none is expected to leave the irrigation area either through surface or subsurface flow.

The Commission evaluates the water quality land application permit application based on a defined

effluent application area location proposed by the applicant. For this area to be changed requires an amendment to the permit application by the Grason Volente Investments, Ltd. The TCEQ does not have the authority to require the Applicant to explore other effluent application areas if the Applicant demonstrates that land application at this proposed site will not adversely effect the environment.

COMMENT 12:

During the public meeting held on April 25, 2006, Mr. John Schlotzhauer and Ms. Allison Thrash commented that with the effluent being placed on land and covered, and not subsurface application, there would be a potential for runoff. Ms. Thrash also stated that she would like a clarification on how the irrigation design will contribute to erosion. In their written comments, Dan Throst, Frances Seifert, and Clifton Seifert also question runoff from the facility.

RESPONSE 12:

The drip lines will be placed on the contour. This will avoid over application due to backdraining. The drip lines are proposed to be placed in direct contact with the ground on the treads of the stair-step topography of the proposed irrigation area. This placement of the drip lines promotes downward movement of the effluent into the soil rather than lateral runoff. The proposed irrigation area has soils with available water capacities in the range of 0.05 to 0.16 inch /in. At an application of 0.1 gallons/ft²/day, the storage capacity in the top 2 inches of soil would be necessary to temporarily store the added treated effluent for subsequent use by the plant roots. At least 12 inches of soil will be required under the drip lines. Under saturated ground conditions such as those that rainfall can produce, the system will not be allowed to land apply treated effluent.

The following permit conditions are proposed to ensure that treated effluent will be absorbed by the soil for use by plant roots and avoid leaving the proposed irrigation area via runoff.

1. The drip lines will be placed on contour with lateral slopes not exceeding 1 percent (draft permit Special Provision 14).
2. A minimum of 12 inches of absorbing soil is required under each drip line to ensure sufficient temporary retention of the emitted effluent to subsequent uptake by plant roots (draft permit Special Provision 18).
3. All drip lines will be covered with mulch which will diffuse direct rainfall impact in small open areas (promoting infiltration) and provide an additional barrier to lateral runoff (draft permit Special Provision 15).
4. A 100-foot buffer will be maintained between the proposed application area and surface water bodies and water courses (draft permit Special Provision 16).

5. Drip irrigation will not be effected under saturated soil conditions.(draft permit Special Provision 5)

The management practices and conditions described above as proposed to be applied to the proposed irrigation site and buffer areas are designed to keep the treated effluent from leaving the permit area.

COMMENT 13:

Mr. Schlottzhauer would like the U.S. Fish and Wildlife Department to revisit the location.

RESPONSE 13:

The TCEQ does not have jurisdiction over the U.S. Fish and Wildlife Department, but U.S. Fish and Wildlife may be contacted by mail at 10711 Burnet Road, Suite 200, Austin, Texas 78758-4460 or by telephone at 512-490-0057.

COMMENT 14:

Mr. Schlottzhauer claims that trucking of effluent will not work in a prolonged rainfall (a week or two or month-long period of heavy rainfall).

RESPONSE 14:

The Applicant, in a memorandum dated June 7, 2006, indicates that based on the National Weather Service Climate data from the years 1856 to 2005, the worst-case recorded precipitation was in 1921 when the area received 20 inches of rain in a single month. Fifteen inches of that twenty was received in one day. The Applicant indicates that even under the worst-case scenario, the proposed wastewater system will be able to treat and irrigate the wastewater and will not be required to rely on pumping and hauling because the irrigation fields will be equipped with soil moisture sensors.

Soil moisture sensors measure soil saturation. With these sensors, the system will be able to irrigate even during rainfall events because the sensors will detect when the soil is saturated and rotate the irrigation to a different zone that is not saturated. The Applicant further states that because of the size of the irrigation field (25 acres in the interim phase), the depth of the soils (over 36 inches), the type of the soil (type II and type III soils, which are fairly well drained), the dosing rate (0.10 gallons per square foot, or 1/8 of an inch of soil depth), the ability of the native trees and species to uptake effluent (large cedar trees have been shown to utilize as much as 40 gallons of water per day), and the percentage of native plant coverage over the irrigation field (90 percent of the area is covered with oak and cedar trees), it is unlikely that all the irrigation zones will be saturated during a rainfall event and doubtful that all of the irrigation zones will remain saturated for longer than 3.5 days, which is the storage capacity of the proposed plant for this phase.

COMMENT 15:

Ms. Thrash would like a clarification on monitoring of the system when the operator will not be on site all the time.

RESPONSE 15:

The Applicant in a memorandum dated June 7, 2006 explains that the proposed control system will have radio capability and paging to contact the operator in case of any alarm or failure. An emergency generator as well as a battery backup will be utilized to assure the control system can page the operator. The plant contract operator has the ability to log in via a computer to verify information and will be on site daily to take samples and check plant operation.

COMMENT 16:

Ms. Thrash claims that the draft permit on file at the "library" shows a different list from what was mailed out by the Office of the Chief Clerk.

RESPONSE 16:

The Office of the Chief Clerk mailing list will include the adjacent landowners list in the permit application. In addition to the adjacent landowners, the mailing list includes those who sent comment letters, county officials, state legislators, city officials, interested parties, and the standard mailing list used by the Office of the Chief Clerk.

COMMENT 17:

During the public meeting of April 25, 2006, Mr. Richard Roucloux expressed his concern over storage capacity.

RESPONSE 17:

The Applicant, in a memorandum dated June 7, 2006, indicates that based on the National Weather Service Climate data from the years 1856 to 2005, the worst-case recorded precipitation was in 1921 when the area received 20 inches of rain in a single month. Fifteen inches of that twenty was received in one day. The Applicant indicates that even under the worst-case scenario, the proposed wastewater system will be able to treat and irrigate the wastewater and will not be required to rely on pumping and hauling because the irrigation fields will be equipped with soil moisture sensors.

Soil moisture sensors measure soil saturation. The Applicant explains that with these sensors, the system will be able to irrigate even during rainfall events because the sensors will detect when the soil is saturated and rotate the irrigation to a different zone that is not saturated. The Applicant further states that because of the size of the irrigation field (25 acres in the interim phase), the depth

of the soils (over 36 inches), the type of the soil (type II and type III soils, which are fairly well drained), the dosing rate (0.10 gallons per square foot, or 1/8 of an inch of soil depth), the ability of the native trees and species to uptake effluent (large cedar trees have been shown to utilize as much as 40 gallons of water per day), and the percentage of native plant coverage over the irrigation field (90 percent of the area is covered with oak and cedar trees), it is unlikely that all the irrigation zones will be saturated during a rainfall event and doubtful that all of the irrigation zones will remain saturated for longer than 3.5 days, which is approximately the storage capacity of the plant for this phase.

COMMENT 18:

Justine Hlista, during the public meeting held on April 25, 2006, inquired about consideration of worst-case scenarios stating that LCRA plans for 100-year floods.

RESPONSE 18:

The permit application indicates that the proposed wastewater treatment facility and effluent application area will be above the 100-year frequency flood level. Furthermore, the draft permit provides for the protection of the wastewater treatment facilities from a 100-year flood.

COMMENT 19:

During the public meeting on April 25, 2006, Mr. Jan Yenawine suggested incorporating a "closed loop" alarm system that will indicate when the alarm system is offline when, for example, lightning strikes.

RESPONSE 19:

The Applicant explains, in a memorandum dated June 7, 2006, that the proposed alarm system will have radio telemetry and a paging system in case of failures. If lightning eliminates power, an emergency generator will automatically start and will be used to power the plant. Generators will also be used at the lift stations as a secondary power source. All lift stations will communicate with the main control system via radio telemetry and each will have its own paging system.

COMMENT 20:

During the public meeting on April 25, 2006, Mr. Jan Yenawine suggested using visual aids during similar public meetings.

RESPONSE 20:

The suggestion to use visual aids during similar presentations is well taken. The Applicant brought a large aerial map which was displayed for public viewing during the April 25, 2006 public meeting.

The map showed the proposed subdivision, wastewater treatment facility, and the irrigation area.

COMMENT 21:

In the public meeting held on April 25, 2006, Ms. Norma Hutchinson stated that it is only a matter of time before an accident can happen.

RESPONSE 21:

In consideration of safety, the design engineer shall design the proposed wastewater treatment facility and disposal system in accordance with the provisions of 30 Texas Administrative Code Chapter 317, Design Criteria for Sewage Systems, and the generally accepted engineering standards or procedures.

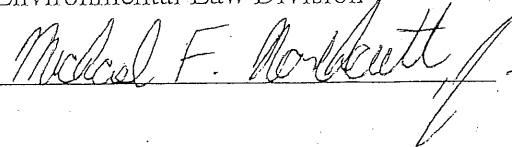
CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT

- In response to public comment, the Executive Director made the following changes to the draft permit:
 1. Special Provision No. 16 of the draft permit is revised to require a minimum of 100 feet buffer from surface water bodies and watercourses in the irrigation area.
 2. Special Provision No. 20 is modified to include four wet features which appear to be wet weather seeps and may represent discharge points from intermittent, perched zones of groundwater.
 3. Special Provision No. 25 for the provision of an audio-visual alarm system to monitor pump tank high water levels, power failure and pump failure has been incorporated in the draft permit.
 4. Special Provision No. 26 for the protection of the wastewater treatment facilities from a 100-year flood has been incorporated in the draft permit.

Respectfully submitted,

Texas Commission on Environmental Quality

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